United States Court of Appeals for the Federal Circuit

2011-1007: ENGAGE LEARNING V INTERIOR

Board of Contract Appeals
Civilian
Administrative Judge Catherine B. Hyatt

Lower Court/Agency #: 1165
Case Type: Agency

Notice of Appeal and Certified List Received: 10/06/2010
Notice of Appeal Filed: 10/06/2010
Docketed and Notice Sent to Parties: 10/06/2010
Certified List Filed: 10/29/2010

Fee Paid: 10/06/2010
Fee Amount: 450.00 Receipt No: 053436

Date	**Event Summary**
	Nothing Due
12/20/2010	Appellant Principal Brief Filing Date
04/07/2011	Appellee or Cross Appellant Principal Brief Filing Date
04/21/2011	Appellant Reply Brief Filing Date
	Appellee or Cross Appellant Reply Brief Filing Date
04/28/2011	Appendix Filing Date
08/04/2011	Oral Argument Date/Calendared
10/05/2011	Disposition: Affirmed-in-Part, Vacated-in-Part and Remanded; Panel
11/28/2011	Mandate

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List of Parties/Representation

Party Type/Name	Represented by
Appellant	
Engage Learning, Inc.	Ellis B. Freatman, III Roberts & Freatman 125 North Huron Street Ypsilanti, MI 48197 Phone #: (734)483-4166 Fax #: (734)483-4368 Email: efreatman@roberts-freatman.com Bar admit: 11/04/2010 EOA Filed: 11/04/2010 Principal Attorney
Appellee	
Ken Salazar, Secretary of the Interior	Jane W. Vanneman Department of Justice PO BOX 480 Ben Franklin Station Washington, DC 20044 Phone #: (202)616-8283 Fax #: (202)307-0972 Email: Jane.Vanneman@usdoj.gov Bar admit: 11/01/1987 EOA Filed: 10/19/2010 Principal Attorney

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Party Type/Name	Represented by
	Aaron S. Lax Department of Interior 1849 C Street, N.W. MS 6456 Washington, DC 20240 Phone #: (202)208-6969 Fax #: (202)208-6475 Bar admit: / / EOA Filed: 11/22/2010
	Sarah T. Zaffina Department of Interior Email: sarah.zaffina@sol.doi.gov Bar admit: / / EOA Filed: 03/15/2011

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Docket Entries

Date	Type	Entry#	Entry Text
10/06/2010	F	1	Appeal docketed on 10/06/2010. EOD(10/06/2010 by SJ) 2011-1007
10/06/2010	O	2	Official Caption. Court Service - 10/06/10. Filed: 10/06/10. REV(10/06/10 by SJ) 2011-1007
10/06/2010	O	3	Note to file: Certified List ordered from Civilian BCA 10/6/10. List due 11/15/10. No Service Required. Entered: 10/06/10. REV(10/06/10 by SJ) 2011-1007
10/08/2010	O	4	Official Caption revised to correct case number in abbreviated caption. Court Service - 10/08/10. Filed: 10/08/10. REV(10/08/10 by SJ) 2011-1007
10/19/2010	O	5	Entry of Appearance for Jane W. Vanneman, as principal counsel on behalf of the Appellee, Ken Salazar, Secretary of the Interior. Mail Service - 10/19/10. Filed: 10/19/10. REV(10/20/10 by SCN) 2011-1007
10/28/2010	O	6	Notice of Rejection: The COI & EOA for Ellis B. Freatman, III as principal counsel on behalf of the appellant, Engaga Learning, Inc., received on 10.20.10, cannot be filed; The attorney is not a member of the bar and cannot file a COI without an EOA. Court Service - 10/28/10. Mailed: 10/28/10. REV(10/28/10 by JSG) 2011-1007
11/04/2010	O	7	Docketing Statement from the Appellee, Secretary of the Interior. Mail Service - 11/02/10. Filed: 11/02/10. REV(11/04/10 by JS) 2011-1007
11/05/2010	O	8	Certified List from Civilian BCA. Mail Service - 10/28/10. Filed: 10/29/10. REV(11/05/10 by SJ) 2011-1007
11/05/2010	O	9	Entry of appearance for Ellis B. Freatman, III as principal attorney on behalf of the appellant, Engage Learning, Inc. Mail Service - 10/19/10. Filed: 11/04/10. REV(11/08/10 by SCN) 2011-1007
11/05/2010	O	10	Certificate of Interest for appellant, Engage Learning, Inc. Mail Service - 10/19/10. Filed: 11/04/10. REV(11/08/10 by SCN) 2011-1007

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Date	Type	Entry#	Entry Text
11/05/2010	O	11	Docketing Statement for the appellant, Engage Learning, Inc. Mail Service - 10/19/10. Filed: 11/04/10. REV(11/05/10 by CLT) 2011-1007
11/24/2010	O	12	Entry of Appearance for Aaron S. Lax as counsel on behalf of the Appellee, Ken Salazar, Secretary of the Interior. Mail Service - 11/22/10. Filed: 11/22/10. REV(11/29/10 by SCN) 2011-1007
12/27/2010	B	13	Engage Learning, Inc. [Appellant] - Brief of Apellant. Mail Service-12/20/10. Filed: 12/20/10. REV(12/27/10 by C_C) 2011-1007
01/25/2011	M	14	Appellee [Ken Salazar, Secretary of the Interior] - Unopposed Motion for a (28) day extension of time to file his brief. Mail Service - 01/21/11. Filed: 01/24/11. On consent. Action on Motion (15): Granted. Brief is due March 3, 2011. by Clerk. Filed: 01/25/11. EOD(01/25/11 by LRP) 2011-1007
02/23/2011	M	16	Appellee [Ken Salazar, Secretary of the Interior] - Unopposed motion for an extension of time within which to file brief. Mail Service - 02/23/11. Filed: 02/23/11. On consent. Action on Motion (17): Granted. The brief is due on or before 3/24/11. by Clerk. Filed: 02/23/11. EOD(02/23/11 by CLT) 2011-1007
03/16/2011	O	18	Entry of Appearance for Sarah T. Zaffina, as counsel on behalf of the Appellee, Secretary of the Interior. Mail Service - 03/15/11. Filed: 03/15/11. REV(03/18/11 by SCN) 2011-1007
03/23/2011	M	19	Appellee [Ken Salazar, Secretary of the Interior] - Appellee's Unopposed Motion for an Extension of Time Within Which to File Appellee's Brief. Mail Service - 03/22/11. Filed: 03/22/11. On consent. Action on Motion (20): Granted. Brief is due 04/07/2011. by Clerk. Filed: 03/23/11. EOD(03/23/11 by RM) REV(03/24/11 by RM) 2011-1007
04/08/2011	B	21	Ken Salazar, Secretary of the Interior [Appellee] - Brief for Appellee. Mail Service-04/07/11. Filed: 04/07/11. REV(04/20/11 by C_C) 2011-1007
04/22/2011	B	22	Engage Learning, Inc. [Appellant] - Reply Brief of Appellant. Mail Service-04/21/11. Filed: 04/21/11. REV(04/22/11 by C_C) 2011-1007
04/28/2011	B	23	Engage Learning, Inc. [Appellant] - Joint Appendix (Two Volumes). . Filed: 04/28/11. REV(04/28/11 by SEW) 2011-1007

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Date	Type	Entry#	Entry Text
06/21/2011	O	24	NOTICE OF CALENDARING issued. Panel: 1108E on August 4, 2011. Entered: 06/21/2011. (EOD 06/21/2011 by KSH) 2011-1007
06/29/2011	O	25	Response to oral argument order from the appellee, Ken Salazar, Secretary of the Interior stating that Jane W. Vanneman will argue. Mail Service - 06/28/11. Received: 06/28/11. REV(06/29/11 by LAW) 2011-1007
07/14/2011	O	26	Response to oral argument order from the appellant, Engage Learning, Inc. stating that Ellis B. Freatman, III will argue. Mail Service - 07/13/11. Received: 07/13/11. REV(07/14/11 by LAW) 2011-1007
08/04/2011	O	27	Submitted after ORAL ARGUMENT by Ellis B. Freatman, III and Jane W. Vanneman. Panel: Rader, Lourie and O'Malley. Entered: 08/04/2011. (EOD 08/04/2011 by KSH) 2011-1007
10/05/2011	D	28	Disposition: Affirmed-in-Part, Vacated-in-Part and Remanded by Panel. Precedential Opinion by: J. O'Malley. Judgment Entered: 10/05/11. No costs. Opinion sent to parties: 10/05/11. Filed: 10/05/11. Mandate issued to the BCA: 11/28/11. REV (11/28/11 by C_C) 2011-1007